

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

JERRY RYAN, On Behalf of Himself And All Others Similarly Situated,	§	CIVIL ACTION NO. 3-03CV1769-B
	§	
	§	
Plaintiff,	§	
	§	
v.	§	
	§	ECF
FLOWERVE CORPORATION, C. SCOTT GREER, RENEE J. HORNBAKER, PRICEWATERHOUSECOOPERS, LLP, BANC OF AMERICA SECURITIES LLC CREDIT SUISSE FIRST BOSTON LLC	§	
	§	
	§	
Defendants.	§	

**APPENDIX OF NON-CONFIDENTIAL EXHIBITS IN SUPPORT OF OPPOSITION OF  
DEFENDANTS FLOWERVE CORPORATION, C. SCOTT GREER AND RENEE J.  
HORNBAKER TO PLAINTIFFS' MOTION FOR CLASS CERTIFICATION**

<u>Exhibit</u>	<u>Document</u>	<u>Appendix</u>
<b>16</b>	Alaska Electrical Pension Fund Certification of Named Plaintiff, <i>Flowserve</i>	<b>A372-A374</b>
<b>17</b>	Massachusetts State Carpenters Pension Fund Certification of Named Plaintiffs, <i>Flowserve</i>	<b>A375-A377</b>
<b>18</b>	Alaska Electrical Pension Fund Certification of Named Plaintiff, <i>Fleming</i>	<b>A378-A380</b>
<b>19</b>	Excerpts of Transcript of November 18, 2005 Hearing	<b>A381-A387</b>
<b>20</b>	Excerpts of Transcript of April 20, 2006 Hearing	<b>A388-A389</b>
<b>21</b>	Flowserve press release dated January 10, 2001	<b>A390</b>
<b>22</b>	Flowserve press release dated February 6, 2001	<b>A391-A393</b>
<b>23</b>	Flowserve press release dated April 24, 2001	<b>A394-A397</b>
<b>24</b>	Flowserve press release dated July 24, 2001	<b>A398-A401</b>

<b><u>Exhibit</u></b>	<b><u>Document</u></b>	<b><u>Appendix</u></b>
<b>25</b>	Flowserve press release dated October 22, 2001	<b>A402-A405</b>
<b>26</b>	Flowserve press release dated April 5, 2002	<b>A406-A407</b>
<b>27</b>	Flowserve press release dated April 22, 2002	<b>A408-A414</b>
<b>28</b>	Flowserve press release dated July 22, 2002	<b>A415-A422</b>
<b>29</b>	Flowserve Press release dated September 27, 2002	<b>A423-A424</b>
<b>30</b>	Flowserve Press release dated September 27, 2002	<b>A425-A426</b>
<b>31</b>	Flowserve Form 8-K, filed June 6, 2006	<b>A427-A432</b>
<b>32</b>	Robert W. Baird report dated September 30, 2002	<b>A433-A444</b>
<b>33</b>	Bear Stearns report dated February 5, 2002	<b>A445-A447</b>
<b>34</b>	Mem. in Further Supp. of the Mtn. of the Institutional Investor Group for Appointment as Lead Plaintiff and in Opp. to Competing Motions, in <i>Thompson v. The Shaw Group, Inc.</i> , dated October 5, 2004	<b>A448-A460</b>
<b>35</b>	Reply Mem. in Further Supp. of the Mtn. of the Policemen & Firemen Retirement Sys. of City of Detroit in <i>Thompson v. The Shaw Group, Inc.</i> , dated Oct. 12, 2004	<b>A461-A480</b>
<b>36</b>	Mtn. to Withdraw Alaska Electrical, dated Oct. 15, 2004	<b>A481-A482</b>
<b>37</b>	<i>In re Alamosa Holdings, Inc. Sec., Litig.</i> , No. 5:03-CV-289-C, Order (N.D. Tex. March 4, 2004) (Cummings, J.)	<b>A483-A484</b>
<b>38</b>	<i>In re Catalina Marketing Corp. Sec. Litig.</i> , No. 8:03-CV-1582-T-27TBM, Order (M.D. Fla., June 2, 2006)	<b>A485</b>
<b>39</b>	Regents of the University of California's Opp. to the Competing Mtns. for Lead Plaintiff, submitted in <i>Newby v. Enron Corp.</i> (Civ. No. H-01-3624, S.D. Tex.)	<b>A486-A533</b>
<b>40</b>	<i>In re SeraCare Life Sciences Inc. Sec. Litig.</i> , No. 05-cv-2335, Order (S.D. Cal. Apr. 7, 2006)	<b>A534-A546</b>
<b>41</b>	William P. Barrett, "I Have No Clients," <i>Forbes</i> , Oct. 11, 1993	<b>A547-A551</b>

<b><u>Exhibit</u></b>	<b><u>Document</u></b>	<b><u>Appendix</u></b>
<b>42</b>	David Kidwell, "Illinois Lawyer Tied to Indicted Firm," <i>Chicago Tribune</i> , June 22, 2006	<b>A552-A559</b>
<b>43</b>	<i>In re Enron Corp. Sec. Derivative "ERISA" Litig.</i> , slip op. (S.D. Tex. June 5, 2006)	<b>A560-A745</b>
<b>44</b>	May 23, 2006 letter from Kim Epstein, Esq.	<b>A746-A747</b>
<b>45</b>	Declaration of Leonard Fruci	<b>A748-A756</b>
<b>46</b>	Table of Plaintiffs' Federal Securities Class Actions	<b>A757</b>
<b>47</b>	Excerpts of Flowserve Prospectus Supplement, filed November 16, 2001	<b>A758-A759</b>
<b>48</b>	Excerpts of Transcript of Deposition of Mark Dishop, designee of The Boston Company Asset Management, LLC	<b>A760-A771</b>
<b>49</b>	Excerpts of Transcript of Deposition of Gregory Stokes in <i>Ultimate Electronics</i>	<b>A772-A775</b>
<b>50</b>	Excerpts of Transcript of Deposition of Gregory Stokes in <i>Fleming</i>	<b>A776-A785</b>
<b>51</b>	Excerpts of Transcript of Deposition of Harry Dow in <i>Vicuron</i>	<b>A786-A788</b>
<b>52</b>	Excerpts of Transcript of Deposition of John Weisenborn	<b>A789-A797</b>
<b>53</b>	Excerpts of Transcript of Deposition of Charles Claussen	<b>A798-A810</b>
<b>54</b>	Excerpts of Transcript of Deposition of Harry Weeks	<b>A811-A821</b>
<b>55</b>	Excerpts of Transcript of Deposition of Wray Kindsvatter	<b>A822-A828</b>
<b>56</b>	Excerpts of Transcript of Deposition of Kevin Sheppard	<b>A829-A837</b>
<b>57</b>	Excerpts of Transcript of Deposition of David Warnick	<b>A838-A843</b>
<b>58</b>	Excerpts of Transcript of Deposition of David Child	<b>A844-A850</b>
<b>59</b>	Excerpts of Transcript of Deposition of Karen Lewis	<b>A851-A857</b>
<b>60</b>	Excerpts of Transcript of Deposition of John Cliby	<b>A858-A865</b>

<b><u>Exhibit</u></b>	<b><u>Document</u></b>	<b><u>Appendix</u></b>
<b>61</b>	Chart of FLS historical prices	<b>A866-A882</b>
<b>62</b>	Declaration of David North	<b>A883-A888</b>
<b>63</b>	Chart: Plaintiffs Have Not Demonstrated That the Alleged Misrepresentations Actually Affected Flowserve's Stock Price.	<b>A889-A902</b>
<b>64</b>	Second Rebuttal Report of Denise Neumann Martin	<b>A903-A919</b>

Dated: July 14, 2006

/s/ Nicholas Even

Noel M.B. Hensley  
State Bar No. 09491400  
Carrie L. Huff  
State Bar No. 10180610  
Nicholas Even  
State Bar No. 24014446  
R. Thaddeus Behrens  
State Bar No. 24029440  
HAYNES AND BOONE, LLP  
901 Main Street, Suite 3100  
Dallas, Texas 75202-3789  
(214) 651-5000  
(214) 651-5940 (Facsimile)

ATTORNEYS FOR DEFENDANT  
FLOWSERVE CORPORATION

/s/ Todd A. Murray

Fletcher L. Yarbrough  
State Bar No. 22137000  
Richard A. Rohan  
State Bar No. 17203800  
Todd A. Murray  
State Bar No. 00794350  
CARRINGTON COLEMAN SLOMAN &  
BLUMENTHAL L.L.P.  
200 Crescent Court, Suite 1500  
Dallas, Texas 75201  
214.855.3000  
214.855.1333 (Facsimile)

ATTORNEYS FOR DEFENDANT  
C. SCOTT GREER

/s/ David W. Klaudt

C. W. Flynn, IV  
State Bar No. 07196580  
David W. Klaudt  
State Bar No. 00796073  
Locke Liddell & Sapp LLP  
2200 Ross Avenue, Suite 2000  
Dallas, Texas 75201-6776  
(214) 740-8000  
(214) 740-8800 (Facsimile)

ATTORNEYS FOR DEFENDANT RENEE  
J. HORNBAKER

### **CERTIFICATE OF SERVICE**

I hereby certify that the foregoing was served upon its filing via this Court's CM/ECF system on this 14th day of July, 2006 to the individuals listed below:

Joe Kendall  
Willie C. Briscoe  
Provost & Umphrey Law Firm, LLP  
3232 McKinney Avenue, Suite 700  
Dallas, Texas 75204

Kimberly C. Epstein  
Shawn A. Williams  
Shana E. Scarlett  
Lerach Coughlin Stoia & Robbins LLP  
100 Pine Street, Suite 2600  
San Francisco, California 94111

Tamara J. Driscoll  
Lerach Coughlin Stoia & Robbins LLP  
1700 Seventh Avenue, Suite 2260  
Seattle, WA 98101

Fletcher L. Yarbrough  
Richard A. Rohan  
Todd A. Murray  
Carrington Coleman Sloman & Blumenthal  
L.L.P.  
901 Main Street, Suite 5500  
Dallas, Texas 75202

C. W. Flynn, IV  
David W. Klaudt  
Locke Liddell & Sapp LLP  
2200 Ross Avenue, Suite 2000  
Dallas, Texas 75201-6776

Rodney Acker  
Ellen Sessions  
Melissa Swindle  
Jenkins & Gilchrist  
3200 Fountain Place  
1445 Ross Avenue  
Dallas, Texas 75202

Dean J. Kitchens  
Gibson, Dunn & Crutcher LLP  
333 South Grand Avenue  
Los Angeles, CA 90071

M. Byron Wilder  
Gibson, Dunn & Crutcher LLP  
2100 McKinney Avenue  
Suite 1100  
Dallas, TX 75201

/s/ Nicholas Even